

EXHIBIT D



December 20, 2019

Via Email and First Class Mail
Michael L. Greenberg
Greenberg & Lieberman, LLC
1775 Eye Street NW, Suite 1150
Washington, DC 20006
michael@aplegal.com

*RULE 408 COMMUNICATION
FOR SETTLEMENT PURPOSES ONLY*

Re: On-going Patent Infringement by Battle Beaver Customs

Dear Michael:

Thank you for your email. We disagree with your summary conclusions as to the requirements of claims 1, 2, 4, 14, 15, and 17 of United State Patent Number 10,188,940 (“the ‘940 Patent”) owned by Scuf Gaming’s affiliate Ironburg Inventions Limited (collectively with Scuf Gaming referred to as “SCUF”). Your interpretation limits the claim feature “manual adjustment of a range of motion” of the trigger to require that the trigger stop itself be adjustable once installed.

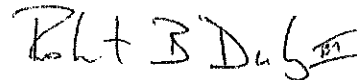
Another interpretation, supported by Figure 8 for example, is that manual adjustment of the trigger range of motion is accomplished by providing an in-case trigger-limiting mechanism in the pathway of the trigger to change the original range of motion of the trigger. In your client’s case, we understand that the “smart trigger” mechanism and/or “racer trigger” mechanism installed in the trigger pathway shortens the trigger’s range of motion from the original range of motion. As a result, these features of the Battle Beaver controllers infringe multiple claims of the ‘940 Patent, including claim 1.

Moreover, even if your claim interpretation is correct (which we do not agree with), the above-identified features of Battle Beaver’s controllers would still infringe at least claims 2, 11, and/or 12 of the ‘940 Patent. These claims do not have the “manual adjustment” language. For claims 2, 11, and 12 installing the “smart trigger” mechanism and/or “racer trigger” mechanism in the trigger pathway changes/shortens the trigger’s range of motion from the original range of motion by changing/adjusting the end stop position of the trigger, resulting in infringement. Thus, even under your claim interpretation Battle Beaver still infringes the ‘940 Patent.

December 20, 2019
Page 2

We appreciate your agreement that Battle Beaver would stop selling products if “infringement seems likely.” As noted above such infringement is indeed likely. I am available for a discussion to see if this matter may be resolved. Absent such resolution, SCUF expects your client to honor its commitment, comply with our previous letters, and immediately cease infringement of the ‘940 patent.

Sincerely,

A handwritten signature in black ink, appearing to read "R B Dulaney III". The signature is stylized with a large "R" and "B", and a cursive "Dulaney" followed by "III".

Robert B. Dulaney III | General Counsel